

REMARKS

The present Amendment is submitted in response to the Office Action mailed on July 21, 2010.

The non-final Office Action acknowledges the withdrawal of claims 18 and 21, objects to the drawings under 37 CFR §1.83(a), objects to claim 10, rejects claims 6 and 12 under 35 USC §112, second paragraph, rejects claims 1, 2, 5 and 10-12 under §102(b) over US Patent No. 6,269,917 to Harting, et al. (Harting) and rejects claims 3, 4, 6-9, 13-17, 19 and 20 under §103(a) over Harting in view of US Patent No. 6,459,182 to Pfann, et al. (Pfann).

In response to the objection to the drawings, applicants respectfully asserts that Fig. 3 clearly shows the radially extending indentations or grooves (82), and radially extending raised areas (84), of axially toothing (85), as explained in detail at page 8 of the Specification, lines 12-16. Applicants respectfully request withdrawal of the drawing objections, therefore.

In response to the objection to claim 10, applicants amend claim 10 as shown above in the Listing of Claims, substantially in accordance with the Examiner's objections. Applicants respectfully request withdrawal of the objection to claim 10, therefore.

In response to the rejection of claims 6 and 12 under 35 USC §112, second paragraph, applicant hereby amends claims 6-19 and 12, in response to the Examiner's comments, and respectfully request withdrawal of the rejections, therefore.

To support to the rejections under §102(b), the Examiner asserts that Harting discloses a blocking device for blocking a rotary motion of shaft 2 relative to a housing of a gear-drive unit, the blocking device having a first blocking element [rotatable part 1] and a second blocking element [cam disk 3] which latter is displaceable relative to the first blocking element [rotatable part 1] by means of at least one electromagnet [5, 6, 7] and at least one restoring element [leaf spring 4], characterized in that the blocking elements [rotatable part 1; cam disk 3] in the blocked state mesh in the axial direction with one another by form-locking [cams 31 on cam disk 3 cooperate with recesses 11 on rotatable part 1].

The Examiner further asserts that Harting's blocking device acts as a separate, independent structural unit, which can be mounted as a unit onto the housing on the one hand and onto the shaft on the other.

In response, applicants hereby amend independent claim 1 to add the further limitation that the blocking elements (32, 34) each have radially extending indentations (82) and radially extending raised areas (84), which mesh with one another in an axial direction in a form-locking fashion to block the rotary motion of the shaft (14) in the blocking state. This added limitation is found in claim 2, now cancelled.

Applicants further amend independent claim 1 make clear that the blocking device (30) is embodied as a separate, independent structural unit (31) that is mounted as a unit (31) onto the housing (16) on the one hand and onto the shaft (14) on the other.

Harting's indentations [recesses 11] are found only on rotatable part 1. Harting's raised areas [cams 31] are found only on cam disk 3. Hence, while the indentations [recesses 11] and raised areas [cams 31] may be said to be form locking, such arrangement does not meet the claim 1 limitation that **both** blocking elements [rotatable part 1; cam disk 3] include the radially extending indentations [recesses 11] and the radially extending raised areas [cams 31] (emphasis added).

For that matter, Harting's blocking element [rotatable part 1] is integral with shaft 2. Harting's blocking device, therefore, cannot be said to meet the limitation that the blocking device (30) is an independent, separate structural unit (31), which blocking device is mounted as a structural unit to the housing (16) on the one hand and onto the shaft (14) on the other hand, as claimed.

In view of the fact that amended independent claim 1 includes these features/limitations, which Harting does not, Harting does not anticipate the invention as claimed. As such, Harting is not a proper reference under 35 USC §102 pursuant to the guidelines set forth in the last paragraph of MPEP §2131.

Amended independent claim 1 and claims 5 and 10-12 that depend therefrom are patentable under §102(b) over Harting for at least these reasons, and applicant respectfully requests withdrawal of the rejections.

In response to the rejection of claims 3, 4, 6-9, 13-17, 19 and 20 under §103(a) over Harting further in view of Pfann, applicant respectfully asserts that

Pfann suffers the same shortcomings of Harting, as described above in response to the rejection of claim 1 under §102(b).

That is, Pfann, like Harting, fails to teach or suggest a blocking device with blocking elements that each have radially extending indentations and radially extending raised areas, which mesh with one another in an axial direction in a form-locking fashion to block the rotary motion of the shaft in the blocking state, wherein the blocking device is embodied as a separate, independent structural unit that is mounted as a unit onto the housing on the one hand and onto the shaft on the other.

Accordingly, applicants respectfully assert that claims 3, 4, 6-9, 13-17, 19 and 20 are patentable under §103(a) over Harting in view of Pfann, and request withdrawal of the rejections, therefore.

Applicants take this opportunity to present new claim 22, which is a combination of the features of claim 1 before amendment hereby combined with the features of claims 6 and 7.

That is, new independent claim 22 sets forth a blocking device (30) for blocking a rotary motion of a shaft (14) relative to a housing (16) of a gear-drive unit (10) in a blocking state comprising a first blocking element (32), a second blocking element (34), at least one electromagnet (44) and at least one restoring element (42). The blocking device includes that the second blocking element (34) is displaceable relative to the first blocking element (32) by means of the at least one electromagnet (44) and the at least one restoring element (42), that the

blocking device (30) is embodied as a separate, independent structural unit (31), which separate independent structural unit (31) is mounted onto the housing (16) on the one hand and onto the shaft (14) on the other and that a barrier housing (52) configured as a stop disk (60) forms at least one axial stop (74) for the first blocking element (32), which element has axial extensions (62, 61, 63) that are braced on the at least one axial stop (60, 74) of the barrier housing (52) to mesh in the axial direction with one another by form-locking in the blocked state.

Neither Harting nor Pfann teach or suggest a blocking device that includes all of the claimed features.

Applicant respectfully asserts, therefore, that the application as amended, including claims 1, 3-17, 19-20 and 22, which are presently pending for prosecution is in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application in condition for allowance.

Respectfully submitted,



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